

**HOUSING AND REDEVELOPMENT AUTHORITY  
OF THE CITY OF SAINT PAUL, MINNESOTA**

**REPORT TO THE COMMISSIONERS**

**DATE: NOVEMBER 14, 2012**

**REGARDING:**

**AUTHORIZATION TO (1) ACQUIRE EAST THREE FEET OF THE CITY OWNED HOLLY TOT LOT AT 519 HOLLY AVENUE; (2) RELEASE DEED RESTRICTION FOR PARKLAND USE FOR THE THREE FEET ACQUIRED; AND, (3) CONVEY SAID THREE FOOT PARCEL TO EUGENE W. COURTNEY AND BARBARA A. COURTNEY, SUMMIT UNIVERSITY DISTRICT 8 WARD 1 (PUBLIC HEARING).**

**Requested Board Action**

The specific actions being requested of the HRA Board are as follows:

- Authorization to accept conveyance of the East Three feet of the City owned property at 519 Holly Avenue aka 529 Holly Avenue (“Holly Tot Lot”).
- Authorization to release deed restriction for parkland use for the three feet acquired.
- Authorization to convey the East three feet of Holly Tot Lot to Eugene W. Courtney and Barbara A. Courtney, the adjacent property owners.

**Background**

In 1977, the Housing and Redevelopment Authority of the City of Saint Paul (“HRA”) conveyed land at 519 Holly Avenue (“Holly Tot Lot”) to the City of Saint Paul (“City”) for development as a mini-park. The Holly Tot Lot was conveyed with a restriction for use for Park Purposes only. Recently, Eugene and Barbara Courtney of 509 Holly Avenue (“property owners”) requested that the City convey to them a three foot strip of land on the east side of the Tot Lot which, for several years, was included with 509 Holly by virtue of an existing fence which had separated the three foot strip from the remainder of the Holly Tot Lot. Conveyance will correct the records to match actual use. The City has agreed to convey, and has established a sale price of \$6,500. Saint Paul Parks and Recreation has also issued a Resolution #11-08 approving the Parkland diversion. City Council approved conveyance to HRA and subsequent pass thru conveyance to property owners on November 7, 2012. HRA will accept conveyance and release the three feet from the parkland restriction and pass title to the property owners.

**Budget Action**

No Budget Action is being requested. The property will be acquired from the City, restriction will be removed, and the property will then be conveyed by HRA to property owners. HRA's fees and costs will be paid by the property owners at closing, and the sale proceeds for the property will be paid back to the City of Saint Paul Parks Department.

**Future Action**

No future action is needed.

**Financing Structure**

N/A

**PED Credit Committee Review**

N/A

**Compliance**

No compliance issues apply. HRA is being used as a pass through for City land.

**Green/Sustainable Development**

No green elements apply. HRA is being used as a pass through for City land.

**Environmental Impact Disclosure**

N/A

**Historic Preservation**

N/A.

**Public Purpose**

HRA is being used as a pass through for City land conveyance. The Saint Paul City Council has approved this transaction pursuant to Res PH 12-315.

**Statement of Chairman**

“Being duly authorized by the Board of Commissioners to conduct this Public Hearing, the hearing is now open. This is a Public Hearing called for the purpose of removal of parkland restrictions and conveyance of a certain Parcel of land located in Summit University District 8 by the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (HRA).

Notice of time, place, and purpose of this hearing was published in the Saint Paul Pioneer Press on Saturday, November 3, 2012. The Affidavit of Publication of the Notice of Public Hearing will be made a part of these proceedings.

The HRA proposes to remove (for the portion of the property described below only) the covenant which established parkland restrictions in Deed of Dedication for Park Purposes dated November 14, 1977 and recorded January 25, 1978 as Document No. 1992558 and also convey the following property in the Summit University District 8 area:

<b>Property Description</b>	<b>Purchaser</b>	<b>Purchase Price</b>
The East 3 feet of Lot 20, Block 15, Woodland Park Addition	Eugene W. and Barbara A. Courtney	\$6,500.00

Is there anyone who wishes to be heard on this sale? If not, Chair will declare this Public Hearing adjourned.”

**Recommendation:**

Staff recommends approval to remove the restricted covenant and convey the east three feet of the Holly Tot Lot to Eugene W. Courtney and Barbara A. Courtney. The remainder of the property will continue to be subject to the Deed of Dedication for Park Purposes.

**Sponsored by: Commissioner Carter**

**Staff:** Cynthia Carlson Heins (266-6608)

**Attachments**

- **Attachment A -- Resolution**
- **Attachment B -- Map**
- **Attachment C--- Census Facts**

TL Review/Approval:\_\_\_\_\_